

REMARKS/ARGUMENTS

These remarks are made in response to the Office Action of December 12, 2007 (Office Action). As this response is timely filed within the 3-month shortened statutory period, no fee is believed due. However, the Examiner is expressly authorized to charge any deficiencies to Deposit Account No. 50-0951.

Claims Rejections – 35 USC § 103

Claims 1-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Published Patent Application 2003/0112952 to Brown, *et al.* (hereinafter Brown) in view of U.S. Published Patent Application 2004/0059781 to Yoakum, *et al.* (hereinafter Yoakum).

Although Applicants respectfully disagree with the claim rejections, Applicants have amended the claims so as to expedite prosecution of the present application. It is expressly noted, however, that the amendments should not be interpreted as the surrender of any subject matter. Accordingly, Applicants respectfully reserve the right to present the original version of any of the amended claims in any future divisional or continuation applications from the present application.

Applicants have amended independent Claims 1, 7, and 13 to further emphasize certain aspects of the invention. As discussed herein, the claim amendments are fully supported throughout the Specification. No new matter has been introduced by the claim amendments.

Aspects of Applicants' Invention

It may be helpful to reiterate certain aspects of Applicants' invention prior to addressing the cited references. One embodiment of the invention, as typified by

amended Claim 1, is a computer-implemented method of permitting a user to remain in contact with at least one other entity.

The method can include establishing by the user a contact list comprising the at least one other entity, establishing by the user at least one service rule used for contacting the at least one other entity, and establishing by the user at least one contact rule used for contacting the user after the at least one other entity has been contacted. The service rule is user-customizable and is followed when attempting to reach the at least one other entity. See, e.g., Specification, paragraphs [0018]-[0021].

The method also can include, when the user is unavailable to initiate contact, automatically contacting each entity on the contact list and eliciting the specified information according to the at least one service rule, obtaining information from the at least one other entity, and subsequently conveying the obtained information to the user if the at least one contact rule is satisfied. See, e.g., Specification, paragraphs [0026]-[0027]; see also Figs. 2 and 3.

The Claims Define Over the Cited References

The present invention concerns providing a service to users to permit the user to maintain in contact with people, namely to enable the user to check with multiple people while the user is unavailable and permit the user to determine in which instances the user will be contacted. First, the user establishes a contact list of entities with whom the user would like to remain in contact. The user then establishes service rules (such as when and how the contact in the list is to be contacted) to be followed when attempting to reach each contact in the contact list. Once the service rules have been established, the user then establishes the contact rules (such as if, when and how the user should be contacted) by which the user is to be contacted. Once the user has established the contact list, the service rules and the contact rules, the service subscribed by the user can be activated (by

the user or automatically when the user is unavailable) and begins to check each contact in the list for requested information. If any information obtained qualifies as information the user wants to know about (i.e., the contact rules have been satisfied), the service contacts the user and delivers the information to the user.

Brown discloses a system and method for establishing a telephone connection between a subscriber and a party identified on the basis of criteria specified by the subscriber using one or more criteria other than a telephone number. The subscriber submits a call request to a call server along with suitable criteria and the system selects an appropriate party based on the subscriber's criteria and other information. See paragraph [0009] of Brown. Clearly, in Brown the subscriber (user) does not establish a contact list with whom the user wishes to remain in contact, but rather the user submits criteria for the system to select an appropriate contact. Paragraph [0026] of Brown describes that the system may maintain a list of parties for which a subscriber has configured special call completion rules. Such a list may specify that certain pre-approved (unapproved) parties may (may not) be connected immediately when they place a request for a connection with the subscriber.

Clearly, the list mentioned in paragraph [0026] of Brown is totally different from the contact list of the present invention because in the present invention the contact list includes entities the user wants to contact, whereas the list mentioned in paragraph [0026] of Brown includes people who are approved or disapproved for contacting the user. The lists mentioned in paragraphs [0064] and [0077] of Brown are also not a contact list in the sense of the present invention because they are not established by the user for the purpose of maintaining contact even when the user is unavailable.

Paragraph [0026] of Brown mentions that a subscriber may establish rules for completing (or not completing) a call request. However, these rules are clearly not the service rules in the sense of the present invention because the rules mentioned in

paragraph [0026] of Brown are used for the called party to decide whether or not to complete a call request, whereas in the present invention the services rules are the rules to be followed by the system when attempting to contact the entities in the contact list. The rules mentioned in paragraph [0054] of Brown are also established by the called party, not by the user (the calling party).

Further, in the present invention the contact rules are established by the user for the system to contact the user when certain information has been obtained and to deliver the information to the user. In contrast, according to the paragraphs [0079] and [0080] of Brown, the called party and/or caller may be notified that they are about to be connected. It is noted that the present invention allows the user to maintain contact with the entities on the list when the user is not available. In other words, the user is not available to be connected by the called party.

In addition, in Brown a "pre-call notification" may be sent to a called party and/or caller before establishing a call. However, this notification is not information that satisfies the contact rules established by the user, as in the present invention.

Yoakum does not make up for the differences between the present invention and Brown. Also, although Yoakum discloses monitoring the presence of individuals in an active list, Yoakum does not disclose automatically contacting each entity on the contact list for the purpose of obtaining information that the user wants to know about (i.e., information that satisfies the contact rules).

Accordingly, the cited references, alone or in combination, fail to disclose or suggest each and every element of Claims 1, 7, and 13, as amended. Applicants therefore respectfully submit that amended Claims 1, 7, and 13 define over the prior art. Furthermore, as each of the remaining claims depends from Claim 1, 7, or 13 while reciting additional features, Applicants further respectfully submit that the remaining claims likewise define over the prior art.

Appln No. 10/736,024
Amendment dated February 12, 2008
Reply to Office Action of December 12, 2007
Docket No. BOC9-2003-0078 (449)

Applicants thus respectfully request that the claims rejections under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Applicants believe that this application is now in full condition for allowance, which action is respectfully requested. Applicants request that the Examiner call the undersigned if clarification is needed on any matter within this Amendment, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,

AKERMAN SENTERFITT

Date: February 12, 2008



Gregory A. Nelson, Registration No. 30,577
Richard A. Hinson, Registration No. 47,652
Yonghong Chen, Registration No. 56,150
Customer No. 40987
Post Office Box 3188
West Palm Beach, FL 33402-3188
Telephone: (561) 653-5000